

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	No. 4:19-CR-15
v.)	
)	JUDGES MCDONOUGH\LEE
HARRISON YANG)	

UNITED STATES' MEMORANDUM IN AID OF SENTENCING

Harrison Yang, a licensed physician in the State of Tennessee, used his position as a medical doctor to prescribe opioids outside professional practice and not for legitimate medical reasons. The defendant has pled guilty in relation to that conduct. Specifically, the defendant pled guilty to writing two opioid prescriptions that were not medically legitimate and thereby defrauded the state's TennCare program by authoring these materially false statements. From 2015 to 2017, the defendant was the fourteenth leading prescriber of Schedule II medications in the state of Tennessee, despite not having a general patient population, which would demand such a pattern of prescribing.

The United States recommends a guideline calculation at offense level 6, which would be a custodial or non-custodial sentence for a period of 0-6 months, along with supervised release as set forth in the Guidelines. Given the range of sentences available at this level, the factors set forth in Title 18 United States Code

section 3553(a) do not warrant a variance. The nature and characteristics of the charged conduct and the characteristics of the defendant are unremarkable in the context of the crime charged. As to the second factor, the sentence imposed should protect the public from future crimes of this type by the Defendant. Therefore, the United States seeks a substantial period of supervised release with a provision that prohibits the defendant from prescribing any Schedule II drug.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing by e-filing upon
defendants' counsel and the U.S. Probation Officer on December 4, 2019.

/s/ Louis Manzo
Louis Manzo